



# Milford Police Department

## General Orders



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## Officer-Involved Shooting

### 1. Purpose

The purpose of this Order is to provide a set of procedural guidelines that shall be uniformly applied following any officer-involved shooting incident.

### 2. Policy

Law enforcement duties may result in an officer(s) being involved in an incident that results in the fatal wounding of a suspect(s) or the infliction of serious physical injury. It is the policy of the Milford Police department that any such incident will be investigated in a fair and judicious and impartial manner that maintains the integrity of the mandated criminal and internal investigations and the rights and emotions of the officer(s) involved while determining if officer actions conform with the law and this Departments Order on use of force.

### 3. Definition

*Officer-Involved Shooting Incident:* - A line-of-duty incident where shots have been fired either by an Officer or at an Officer, regardless of whether or not injury or death has occurred.

### 4. Procedures – Assisting Involved Officer(S)

#### A. At Scene of Shooting Incident

1. A supervisor shall be immediately dispatched to the scene of the incident, and shall assume primary responsibility in maintaining the integrity of the incident scene and caring for involved personnel.
2. The supervisor shall make appropriate arrangements for all necessary medical treatment to both suspect/s and police officers.
3. During any period where the involved officer is required to remain on the scene, but has no immediate duties to fulfill, the officer should be taken to a quiet area away from the scene of the incident. An officer should remain with the officer(s) to provide support, but should be advised not to discuss details of the incident.
4. The supervisor should arrange for the officer(s) directly involved in the incident to leave the scene as soon as possible, and be taken to a quiet, secure setting.
5. Where possible, a ranking officer shall briefly meet with the involved officers to briefly explain the investigative process.
  - a. No caffeine or other stimulants or depressants should be given to the officers unless administered by medical personnel.
  - b. Only minimal, preliminary questions should be asked about the incident. The officers should be advised that a more detailed debriefing would be conducted at a later time.
  - c. Any standard investigations that will occur concerning the incident should be discussed with the officers.

- d. The officers should be advised that they may seek legal counsel.
  - e. The officers should be advised not to discuss the incident with anyone except a personal attorney, union representative, an investigator assigned to the incident, or a States Attorney or their representative until the conclusion of the preliminary investigation.
6. The supervisor shall determine whether the circumstances of the incident require that the officer's duty weapon be taken for laboratory analysis. Where the duty weapon is taken, the supervisor shall:
  - a. Take custody of the officer's weapon in a discrete manner; and replace it immediately with another weapon.
  - b. If on the scene and the scene has been deemed safe, assign an officer (preferably a supervisor) to stay with the officer involved in the shooting to maintain a chain of custody of the firearm. Instruct the shooting officer to keep his/her weapon in the holster until they are in a more secure and discrete location and the weapon can then be taken from the shooting officer.
7. Involved officers should be counseled to notify their families about the incident as soon as practical. Where an officer is unable to do so, a department supervisor shall personally notify his family, and arrange for their transportation to the hospital if necessary. When possible notifications to the family should be made in person.
8. At all times, when at the scene of the incident, the supervisor should handle the officer and all involved personnel in a professional and sensitive manner that acknowledges the stress caused by the incident.

**B. Post-Incident Procedures**

1. Involved personnel shall be removed from line duties pending evaluation, but shall remain available for any necessary administrative investigations.
2. All officers directly involved in the shooting incident shall be required to contact EAP for counseling and evaluation as soon as practical after the incident. Involved support personnel should also be encouraged to contact EAP after a shooting incident.
3. After the counseling sessions, EAP shall advise the Department:
  - a. Whether it would be in the officers' best interest to be temporarily assigned to administrative leave or light duty, and for how long;
  - b. Where the officers were relieved of their duty weapons after an incident, at what point they should be returned,
  - c. What will be the best-continued course of counseling?
4. The families of the involved officers will be encouraged to take advantage of available counseling services.
5. Any investigation of the incident shall be conducted as soon and as quickly as practical.
6. All personnel involved in a shooting incident should be advised that they are not permitted to speak with the media about the incident. Officers shall refer inquiries from the media to

the designated PIO, unless otherwise authorized to release a statement pertaining to the incident.

7. Officers directly involved in the shooting incident shall be required to re-qualify with their firearm as soon as practical.

**C. Daily Stress Recognition**

1. As post-traumatic stress disorders may not arise immediately, or the officers may attempt to hide the problem; each supervisor is responsible for monitoring the behavior of unit members for symptoms of the disorder.
2. A supervisor may order an officer to seek assistance or counseling from a mental health specialist upon a reasonable belief that stress may be disrupting the officer's job performance.

**5. Procedures - Investigation Of Officer-Involved Shooting**

**A. On-Scene Responsibilities**

1. Officers involved at the scene of a shooting incident shall take those measures that are reasonably possible and appropriate to protect their safety and to preserve evidence essential to the investigation. This includes the following actions, undertaken in the order deemed appropriate.
  - a. Ensure that the threats to officer safety and the safety of others are over.
  - b. Secure and separate suspects.
  - c. Relay information on fleeing suspects to communications and other field units and work with them to establish containment area.
  - d. Request a supervisor, additional backup, emergency medical services, if necessary, and request any other assistance required immediately.
  - e. If injured, administer emergency first aid to one-self first if possible. Then, administer basic first aid to suspects and others, as necessary, pending arrival of emergency medical assistance.
  - f. Holster any involved handguns or secure them in place as evidence. Secure long guns in the prescribed manner or in place as evidence. Do not open, reload, remove shell casings or in any other manner tamper with involved firearms.
  - g. Take note of the time, survey the entire area for relevant facts, individuals who are present and who departed the scene. Note witnesses, potential suspects and suspect vehicles.
  - h. As time and capabilities permit before supervisory and other assistance arrives:
    - i. Secure the area, establish a perimeter with crime scene tape, and limit the access to authorized persons necessary to investigate the shooting and assist the injured.

- ii. Protect evidence from loss, destruction or damage that is likely to occur before backup can arrive. Ensure that evidentiary items are not moved or, if moved, note the original location and position of persons, weapons, and other relevant objects and evidence.
- iii. Record the names, DOB, addresses and phone numbers of all witnesses and other persons present at the shooting scene and request that they remain on hand in order to make a brief statement whether or not they say they saw or heard the incident.

**B. Supervisory Responsibility at the Scene**

1. Ensure the safety and determine the condition of the officer(s), suspect(s) and third parties. Summon emergency medical service providers if not yet summoned.
2. If the officer has been shot or otherwise injured in the shooting:
  - a. Ensure that an officer accompanies and remains with the officer at the hospital.
  - b. Ensure that the officer's family is notified on a priority basis and in person when possible. Ensure that they are assigned transportation to the hospital or other location where they are needed as soon as possible.
  - c. Do not release the officer's name to the media or unauthorized parties prior to the family's being notified.
  - d. Assign an officer to the family for security, support, control of the press and visitors, establishment of communications and related matters.
  - e. Ensure that the clothing of the officers and other injured persons is collected for potential evidentiary purposes and that related equipment of the officers is safeguarded.
3. If the officer is not injured, move him away from the center of activity accompanied by another officer. Ensure that all necessary steps are taken consistent with this Department's Order on dealing with post-shooting trauma.
4. Confirm that the preliminary steps described in Item 5A have been adequately addressed and, if not, take appropriate action to ensure that necessary actions are taken.
5. Ensure that the immediate area is contained and detain any suspects therein.
6. Make notifications to other Department personnel, to include:
  - a. Shift Commander
  - b. Patrol Captain
  - c. Chief of Police
  - d. Deputy Chief
  - e. Detective Bureau
  - f. Internal Investigative Authority
  - g. Public Information Officer
  - h. State's Attorneys Office

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- i. City Attorney
    - j. Medical Examiner
    - k. Chaplain or police advocate
  7. Establish a command post if necessary.
  8. Appoint a recorder to make a chronological record of activities at the scene, to include: persons present, actions taken by police personnel and the identity and time of any personnel who entered and leave the incident/crime scene, to include emergency medical and fire personnel.
  9. Establish a media staging area as time permits unless a public information officer assumes the responsibility.
  10. Investigation should include the following steps:
    - a. Locate and secure-or secure-in-place- the officer's weapon(s) and ammunition casings. Check the weapons of all officers present for discharge.
    - b. Locate and secure in place the suspect's weapon(s), ammunition and expended cartridges.
    - c. Collect information about the suspect, including name, physical description, domicile and other pertinent information.
    - d. Locate and secure as evidence any clothing that may have been removed from the suspect by emergency medical personnel or others.
    - e. Determine the original position of the officer(s) and the suspect at the time of shooting.

C. Post-Shooting Trauma

1. Supervisory, investigative and other sworn and non-sworn employees shall be familiar with and follow the provisions established by this Department in its Order on dealing with post-shooting emotional trauma in police personnel.
2. All personnel shall be familiar with the provisions of this Department's Order on employee mental health services and should avail themselves of these services following officer-involved shooting incidents where appropriate.

D. Investigator's Responsibilities

1. Investigation of officer-involved shootings will be the responsibility of this Department's Detective Bureau or as may be alternatively designated by the Chief of Police.
2. The lead investigator will serve as OIC and shall be responsible for ensuring that the following tasks are adequately addressed in the order deemed necessary and appropriate.
  - a. Ensure that tasks itemized above in sections 5A and 5B of this Order have been appropriately and adequately completed. Take measures to ensure that any deficiencies in completing tasks are immediately remedied.

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- b. Receive a general briefing and walk-through by the supervisory officer regarding the circumstances surrounding the shooting.
  - c. Ensure that the overall scene and evidentiary items are photographed and videotaped. Videotape all persons as he/she appears at the scene. Color photographs of the officer as he/she appears at the scene shall be taken, to include any injuries sustained.
  - d. Ensure thorough inspection of the scene and proper collection of all items and substances of evidentiary value.
  - e. Obtain taped statements from the suspects.
  - f. Ensure that notification is provided to next-of-kin of injured or deceased suspects.
  - g. Locate and identify witnesses and conduct initial tape-recorded interviews.
  - h. Tape record interviews with fire department personnel, emergency medical service providers and other first responder to the scene.
  - i. Conduct separate tape-recorded interviews with each officer involved.
    - i. Conduct the interview in a private location away from sight and hearing of Department members and others who do not have a need and a right to the information.
    - ii. Advise the officers not to discuss the incident with anyone except a personal or Department attorney, union representative or departmental investigator until the conclusion of the preliminary investigation.
    - iii. Be cognizant of symptoms of post-traumatic stress, to Include time and space distortions, confusion, hearing and visual distortion and emotional impairment, including shock. (Defer tape-recorded interviews if these symptoms are evident).
  - j. Take any weapon fired by the officer(s) into custody and handle it as evidence. Firearms shall be taken from officers in a discrete manner and the OIC shall ensure that arrangements are made to replace them with other firearms or advise the officers that they will be returned or replaced at a later time.
  - k. Where an officer has died, the OIC shall ensure that Order and procedures established by this Department for line-of-duty deaths and death notification are followed.
  - l. Contact the medical examiner and attend autopsy of officer and/or suspect. Determine entrance and exit wounds, estimates of the shooter's position, and the presence of controlled substances in the decedent's blood or other related evidence.
  - m. Obtain search warrants as necessary for searches of vehicles, containers, homes and vehicles.
  - n. Develop a statement of preliminary basic facts for the media to be delivered by the Department spokesperson in conformance with this Department's Order on media relations.

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## 6. Procedures - Intentional/Accidental Discharges Of Weapon

### A. Investigative Procedures

1. Investigation of officer-involved intentional /accidental shooting/s will be the responsibility of the personnel assigned by the Chief of Police or his designee. The lead investigator will serve as the OIC and shall be responsible for ensuring that the tasks that are appropriate are adequately addressed in the order deemed necessary as provided in the Investigation of Officer Involved shooting Order.
2. In a case where the shooting incident requires both a Criminal investigation and Internal investigation, the criminal and internal investigation will be conducted independently with separate lead investigators.

Reference:  
Use of Force